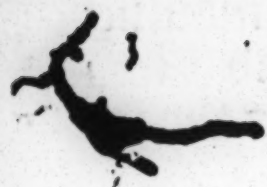


An ACT to Restrain Foreign Education.

**W**HEREAS many of the Subjects of this Kingdom have accustomed themselves to send their Children and other Persons under their Care into France, Spain, and other Foreign parts, not under His Majesties Obedience, to be Educated, Instructed and brought up, by means and occasion whereof the said Children and other Persons have in process of time Engaged themselves in Foreign Interests, and been prevailed upon to forget the Natural Duty and Allegiance due from them to the Kings and Queens of this Realm, and the Affection which they owe to the Established Religion and Laws of this their Native Country, and Returning so Evilly Disposed into this Kingdom, have been in all Times past the Movers and Promoters of many Dangerous, Seditious, and often times of open Rebellion. For Remedy whereof

Be it therefore Enacted and Declared, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That in case any of His Majesties Subjects of this Realm of Ireland, at any time after the end of this Session of Parliament, shall pass or go, or shall convey or send, or cause to be conveyed or sent, any Child or other Person, into any parts beyond the Seas out of His Majesty's Obedience, to the Intent

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An ACT to Restrain Foreign Education.

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Be it therefore Enacted and Declared, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That in case any of His Majesties Subjects of this Realm of Ireland, at any time after the end of this Session of Parliament, shall pass or go, or shall convey or send, or cause to be conveyed or sent, any Child or other Person, into any parts beyond the Seas out of His Majesty's Obedience, to the In-

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Anno Regni Septimo

tent and Purpose to Enter into or be Resident or  
 Trained up in any Priory, Abby, Nunnery, Po-  
 pish University, Colledge or School, or House of  
 Jesuits or Priests; or in case any of His Majesties  
 Subjects of this Kingdom, shall after the time a-  
 foresaid pass or go, or be conveyed or sent out of this  
 Kingdom, into any parts beyond the Seas out of  
 the King's Obedience, to the intent and purpose  
 to be Resident or Trained up in any private Popish  
 Family, and shall be in such parts beyond the Seas  
 by any Jesuite, Seminary Priest, Fryer, Monk  
 or other Popish Person Instructed, Perswaded or  
 Strengthened in the Popish Religion, in any sort to  
 profess the same, or shall convey or send, or cause  
 to be conveyed or sent, by the hands or means of  
 any person whatsoever, any Summ or Summs of  
 Money, or other thing for or towards the Mainte-  
 nance or Support of any Child or other Person  
 already gone or sent, or that shall hereafter go or  
 be sent, and be Trained and Instructed as afore-  
 said, or under the name or colour of any Charity,  
 Benevolence or Alms towards the Relief of any  
 Priory, Abby, Nunnery, Colledge, School or any  
 Religious House whatsoever; every Person so go-  
 ing, sending, conveying or causing to be sent or  
 conveyed or sent, as well any such Child or other  
 Person, as any Summ or Summs of Money or  
 other thing, and every Person passing or being  
 sent beyond the Seas, contrary to the Intent and  
 Meaning of this Act, and being thereof lawfully  
 Convicted in manner and form hereafter mentioned,  
 or upon any Information, Presentment or Indict-  
 ment for any the Offences as aforesaid, to be found  
 by any Jury of twelve Men of the County or City,  
 or Town Corporate, where such Person or Persons  
 so going or sending shall have any Estate of Inhe-  
 ritance,



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ritance, When he or they did so send or go, such Person and Persons so going or sending willfully, from and after such going or sending, shall be for ever Disabled, from and after such finding, to Sue Bring or Prosecute any Action, Bill, Plaint or Information in course of Law, or to Prosecute any Suite in any Court of Equity, or to be Guardian, or Executor, or Administrator to any person, or Capable of any Legacy or Deed of Gift, or to bear any Office within the Realm, and shall Lose and Forfeit all his, her and their Goods and Chattles which he, she or they hath, or any other person or persons have or hath in trust for him, her and them, and shall Forfeit all his, her and their Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Estate of Freehold, and all Trusts, Powers and Interests therein, for and during his, her and their natural Life and Lives.

And be it further Enacted by the Authority aforesaid, that if any Information be given to any Justice of the Peace that any such Child or other Person, Summ of Money, or other thing is or are gone or sent away, Contrary to the Tenor of this Act; That then every such Justice of the Peace within the Limits of his Jurisdiction is hereby Authorized and Required forthwith to Cause to be brought before him all such Persons Suspected or Charged to have Offended therein; And shall Examine the Person or Persons so Suspected or Accused without Oath: And also shall Examine any other Person or Witnesses upon such his and their severall and Respective Corporal Oaths concerning the same; And if upon such Examination it shall appear probable to such Justices of the Peace that such Child or other Person, Summ of Money, or other thing is, or are gone or sent away,

way, Contrary to the true Intent and Meaning  
 of this Act, then the said Justices of the Peace shall  
 Bind the said suspected Person or Persons with  
 sufficient Sureties, and such other Persons as he  
 shall judge fit to give Evidence: And the said In-  
 former or Informers in Recognizances of the  
 Summ of Two hundred Pounds, or such greater  
 Summ or Summs as to the said Justice or Justi-  
 ces of the Peace shall seem Reasonable, with Condi-  
 tion to appear at the next Quarter-Sessions of  
 the Peace to be held for the said County where  
 such Offence or Offences is or are supposed to be  
 Committed, or where the Offenders did last Re-  
 side, or were taken, and not to depart the said  
 Court without License: And the said Justice of  
 the Peace shall at the first Sitting of the said  
 Court of Quarter-Sessions Return the said Cra-  
 minations and Recognizances unto the Clerk of  
 the Peace in open Court, who shall Cause an In-  
 formation to be Framed against such Person and  
 Persons, or Suspected Person or Persons who  
 shall Instantly answer thereunto, and proceed to  
 Tryal thereon, and in Case upon such Tryal it  
 shall by proof appear to the said Court of Quarter-  
 Sessions that any Person, Summ of Money, or  
 other Thing was by him, her or Them sent or  
 Conveyed, or Caused to be sent or Conveyed into  
 any parts beyond the Seas out of his Majesties  
 Obedience; And in Case by such proof it shall ap-  
 pear probable to the said Court that such Sending  
 or Conveying was Contrary to the true Intent  
 and Meaning of this Act, then he, She or They  
 shall take upon him, her or Themselves the proof  
 where such Child or other Person so by them  
 sent then is, and also to what intent and purpose  
 such summ or summs of Money, or other thing was



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or weresent by him or them beyond the Seas; And in case any such Child or Children, or other Person or Persons that shall go, as aforesaid, Contrary to the Intent and Meaning of this Act, or be sent or Conveyed away, as aforesaid, or any summe or summs of Money by way of Exchange or any other ways or means whatsoever shall be sent after the time herein Limited beyond the Seas into Foreign parts, as aforesaid, to any the Intents and Purposes aforesaid, Contrary to the Design or Intent of this Act, that such going or sending shall be Adjudged, Deemed, and taken to be going or sending, Contrary to this Act, unless the Party or Parties denying the same shall prove the Contrary, or if by Failure of such proof or otherwise upon Examination it shall appear to the said Court of Quarter-Sessions of the Peace that such Offence or Offences hath or have been Committed Contrary to this Act, the same being Entered on Record, shall be a Conviction as well of the Person or Persons so being sent as of the Parties so sending, and they and every of them shall Forfeit and Incure all the Pains and Penalties and Disabilities before Recited and Mentioned: The one Moety of all such Forfeitures to be to His Majesty, His Heirs and Successors, and the other Moety to him or Them that shall Sue for the same in any Court of Record by any Action, Bill, Plaint or Information wherein no Esloyn, Protection or Wager of Law, or more then one Imparlance shall be allowed.

Provided always that if any person or persons against whom such Judgment shall be given or pronounced at such General-Quarter-Sessions of the Peace, as aforesaid, shall find him or her self aggrieved thereby, it shall and may be Lawful to  
and

and for such person or persons respectively to appeal to the Justices of Assize of the said County at the next Assizes to be held for the same: <sup>which</sup> said Justices of Assize are hereby Authorized in the same Assizes to Cause the said Proceedings in the said General Quarter-Sessions of the Peace to be brought before them, and there to Review and Examine the same by such ways and means as ~~as~~ them shall seem Expedient, and to Reverse, Alter and Confirm the same and every part thereof as to Justice shall appertain: And all and every Officer and Officers in whose Custody or Power such Proceedings and Conviction shall be at the time of such Inquiry by the said Judge or Judges of Assize shall obey the Orders and Directions of the said Judge or Judges of Assize therein.

Provided always, That if any person be Convicted of being sent beyond the Seas, contrary to this Act, by the Conviction of the person sending or conveying him, only such person upon his return into this Kingdom, shall at any time within Twelve Months after such his, or her return, or within Twelve Months after his or her attaining the Age of One and Twenty Years, upon his Prayer by Motion to the Court of King's-Bench of this Kingdom be admitted to his Tryal, and the Judges of the said Court are hereby Impowered and Required forthwith upon such Prayer, to cause an Information to be Exhibited against such person or persons to which he or they shall plead, and thereupon the said Court shall proceed to Tryal of such person or persons, by Jury of the County where the said Court shall then Sit; and the Defendant or Defendants in such case shall upon his or their Tryal, be obliged to prove to what intent or purpose he, she or they was or were sent  
or



or conveyed beyond the Seas, and unless he, she or they shall make such proof whereby it may appear, that he, she or they were not sent or conveyed contrary to this Act, it shall be taken for granted, that he was sent contrary to this Act as though the same had been fully proved: And in case upon his, her or their Tryal such person or persons shall be acquitted, he, she and they so acquitted shall be discharged of all the Disabilities, Penalties and Forfeitures in this Act, except his, her or their ~~Goods~~ and Chattels, and the profits of his, her or their Lands incurred and received before such acquittal.

Provided also that every such person sent or Conveyed, as aforesaid, that shall within Six Months after his Return into this Kingdom in the High Court of Chancery, or Court of Kings Bench in Term time, between the hours of Eight and Twelve in the Morning take the Oaths, and Repeat and Subscribe the Declaration mentioned and appointed in and by one Act lately made in the Parliament of England, Intituled, An Act for Abrogating the Oath of Supremacy in *Ireland*, and appointing other Oaths, shall from thenceforth be Discharged of all the Incapacities and Disabilities aforesaid; And shall from the time of his taking such Oaths and Making, Repeating and Subscribing such Declaration be restored to the Receipt of the future growing Rents, Issues and Profits of his said Real Estate only; But shall Nevertheless lose all the past Rents, Issues and Profits thereof, and all his personal Estate, any thing before in this Act to the Contrary Notwithstanding,

Provided always that if such person or persons at any time after his or their taking the said Oaths, and Making, Repeating and Subscribing the



the said Declaration, profess him, her, or themselves of the Popish Religion, or refuse the taking the said Oaths, and Repeating and Subscribing the said Declaration when the same shall be to him, her or them tendered by the Justices of the Peace in their open Quarter-Sessions of the Peace for the County or place where such person or persons shall Reside: Which the said Justices are hereby Authorized and Required to tender to all whom they shall suspect to have Relapsed, or shall upon due Summons refuse to appear at such Quarter-Sessions for the purpose aforesaid, in every such Case the said person or persons shall Incurr, Forfeit and Suffer all and Every the Disabilities, Pains, Penalties and Losses herein before Contained, as if such person or persons had never taken the said Oaths or Repeated and Subscribed the said Declaration.

And be it further Enacted by the Authority aforesaid that all and Every the Offences against this Act may be Inquired into, Heard and Determined before the Justices of the Kings-Bench, or Justices of Assizes or Goal-Delivery, or of Oyer and Terminer of such Counties where the Offenders did last Dwell or Abide, or whence he, she or they departed or were sent out of the Kingdom, or where he, she or they went, or shall be respectively Taken or Apprehended.

Provided always, That if any person shall upon his Tryal before the Justices of the Peace, at the General Quarter-Sessions, be acquitted by the said Court, of any offence against this Act, or upon his appeal to the Judges of Assize, in such manner as by this Act is directed, shall by the said Judges of Assize be acquitted; or in Case he shall upon his Tryal be acquitted by the Jury, upon any Indictment,



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ment, Presentment or Information Prosecuted against him for any Offence contrary to this Act, such person so acquitted shall not be liable after such acquittal to be Prosecuted upon this Act in any other manner for the same Offence.

And whereas it is found by experience that Tol-  
erating and Conniving at Papists keeping Schools  
or Instructing Youth in Literature, is one great  
reason of many of the Miseries of this Kingdom  
continuing ignorant of the Principles of True Re-  
ligion, and Strangers to the Scriptures, and of  
their neglecting to conform themselves to the Laws  
and Statutes of this Realm, and of their not  
using the English Habit and Language, to the  
great prejudice of the Publick-Weal thereof.

Be it further Enacted by the Authority aforesaid,  
That no person whatsoever of the Popish Religion,  
shall publickly Teach School, or Instruct Youth in  
Learning, or in private Houses Teach or Instruct  
Youth in Learning within this Realm from hence-  
forth, except only the Children or others under the  
Guardianship of the Master or Mistres of such pri-  
vate house or family, upon pain of Twenty pounds,  
and also of being Committed to Prison, without  
Bail or Mainprize, for the space of three Months for  
every such Offence: And to the intent that no pre-  
tence may be made or used, that there are not suf-  
ficient numbers of Schooles in this Realm to In-  
struct and Inform the Youth thereof in the English  
Language and other Literature.

Be it further Enacted by the Authority aforesaid,  
That one Act of Parliament made in the Twenty  
eighth Year of the Reign of the Late King Henry  
the Eighth, Called, An Act for the English Order, Ha-  
bit and Language, whereby it is among other things  
Enacted & Provided, That every Incumbent of each  
Parish



Parish within this Kingdom, shall keep or cause to be kept within the Place, Territory or Parish where he shall have Prebeminence, Rule, Benefice or Promotion a School to Learn English: And also one other Act made in the Twelfth Year of the Reign of the Late Queen Elizabeth, Intituled, An Act for the Erection of Free-Schools, whereby it is Enacted and Provided, That a publick Latin Free-School shall be constantly maintained and kept within each Diocels of this Kingdom, which have generally been maintained and kept, but have not had the desired Effect by reason of such Irish Popish Schools, being too much Connived at, and all other Acts and Statutes now in Force in this Realm concerning Schools, shall from henceforth be strictly Observed and put in Execution according to the good Intent and Design of the same, and for the more Effectual doing thereof the Justices of his Majesties Court of Kings-Bench each Term, and the Judges of Assize in their Respective Circuits, and the Justices of Peace in their General Sessions of Peace are Required to give this and the said former Acts in Charge from time to time to the severall Grand-Juries to be then Impannelled and Charged, and to be very Circumspect in seeing the same put in due Execution.

FINIS.



